

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES LALL,

Petitioner,

v.

ISIDRO BACA, *et al.*,

Respondents.

Case No. 3:16-cv-00469-MMD-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the information regarding petitioner's financial status, the motion to proceed *in forma pauperis* is granted.

On August 15, 2016, petitioner filed a motion for a stay, or in the alternative, a 120-day enlargement of time. (ECF No. 4.) In the motion, petitioner explains that he had not yet received his case file from the attorney who represented him in state post-conviction proceedings. Petitioner contends that he needs his case file to raise additional grounds for relief in an amended petition. Petitioner's motion for an extension is granted, *nunc pro tunc*.

It is therefore ordered that petitioner's motion to proceed *in forma pauperis* (ECF No. 1) is granted.

It is further ordered that petitioner's motion for an enlargement of time (ECF No. 4) is granted *nunc pro tunc*.

1 It is further ordered that the Clerk of Court send petitioner the form for filing a §
2 2254 habeas corpus petition in this Court, together with instructions for filing the form.

3 It is further ordered that petitioner must file, within thirty (30) days from the date of
4 entry of this order, an amended petition. The amended petition must be filed on the
5 Court's approved habeas corpus form and must be entitled "First Amended Petition."

6 It is further ordered that if petitioner fails to file an amended petition within thirty
7 (30) days, this action will proceed on the original petition.

8 DATED THIS 2nd day of March 2017.

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11 MIRANDA M. DU
12 UNITED STATES DISTRICT JUDGE
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